

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office JUL 24 2000

Returned to applicant for correction _____

Corrected application filed _____

Map filed AUG 11 2000 UNDER 66605

The applicant **L.B. Acquisition, LLC**, a Nevada limited liability company, hereby makes application for permission to change the **Manner and Place of Use of a Portion** of water heretofore appropriated under **Permit 50071, Certificate 12436**

1. The source of water is **Musgrove Creek and Tributaries**
2. The amount of water to be changed **4.177 CFS, not to exceed 719.11 Acre-feet**
3. The water to be used for **Recreation (Golf Course Irrigation)**
4. The water heretofore permitted for **As Decreed**
5. The water is to be diverted at the following point **SW¼ NW¼ Section 27, T. 16N., R. 19E., M.D.B.&M.; or at a point from which the NW corner of said Section 27 bears N. 14° 54' 16" W., a distance of 1825 feet.**
6. The existing permitted point of diversion is located within **Unchanged**
7. Proposed place of use **See Attachment "A"**
8. Existing place of use **See Attachment "B"**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **As Decreed**
11. Description of proposed works **Existing diversion structure across Musgrove Creek, then by pipeline to place of use.**
12. Estimated cost of works **Completed under Permit 50071**
13. Estimated time required to construct works **Completed under Permit 50071**
14. Estimated time required to complete the application of water to beneficial use **Four (4) Years**
15. Remarks: **This application to change a portion of Permit 50071 is being filed to provide water for the Thunder Canyon Golf Course. Water is to be co-mingled with waters under portions of Permits 18198, 20648, 23287, 30579, 30581, 35554 & 50072 on 171.13 Acres.**

By Gregory M. Bilyeu
s/ Gregory M. Bilyeu
P.O. Box 70458
Reno, NV 89570

Compared pe/cmF 1b/cmF

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use and manner of use of a portion of the waters of the Musgrove Creek as heretofore granted under Permit 50071, Certificate 12436, which changed the point of diversion appropriated under Proof 02540 as appears in the Matter of the Determination of the relative rights in and to the waters of Musgrove Creek (aka Big Canyon Creek) and its tributaries, in the District Court of the Second Judicial District of the State of Nevada in and for the County of Washoe is issued subject to the terms, conditions and irrigation period imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein.

Measuring devices at locations approved by the State Engineer shall be installed and maintained to determine the amount of water being placed to beneficial use under Permits 66605, 66606, 66607, 66608, 66609, 66610, 66611 and 66612.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Permits 66605, 66606, 66607, 66608, 66609, 66610, 66611 and 66612 shall not exceed 717.75 acre-feet annually.

A monthly report shall be submitted to the State Engineer within 10 days from the end of each month which shall include the amount of water diverted and the amount of water used.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 4.171 cubic feet per second, but not to exceed 717.75 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

February 11, 2005

Proof of completion of work shall be filed on or before:

March 11, 2005

Water must be placed to beneficial use on or before:

February 11, 2007

Proof of the application of water to beneficial use shall be filed on or before:

March 11, 2007

Map in support of proof of beneficial use shall be filed on or before:

March 11, 2007

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,

this 11th day of February, A.D. 2003


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

ATTACHMENT "A"

7. Proposed Place of Use:

30.15 Acres, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 23, T.16N., R.19E., M.D.B. & M.
1.06 Acres, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 23, T.16N., R.19E., M.D.B. & M.
20.19 Acres, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 23, T.16N., R.19E., M.D.B. & M.
18.27 Acres, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 23, T.16N., R.19E., M.D.B. & M.
9.77 Acres, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 23, T.16N., R.19E., M.D.B. & M.
16.80 Acres, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 23, T.16N., R.19E., M.D.B. & M.
1.47 Acres, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 23, T.16N., R.19E., M.D.B. & M.

14.65 Acres, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 22, T.16N., R.19E., M.D.B. & M.
15.83 Acres, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 22, T.16N., R.19E., M.D.B. & M.
12.54 Acres, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 22, T.16N., R.19E., M.D.B. & M.
9.38 Acres, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 22, T.16N., R.19E., M.D.B. & M.
2.01 Acres, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 22, T.16N., R.19E., M.D.B. & M.
19.01 Acres, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 22, T.16N., R.19E., M.D.B. & M.

171.13 acres total

Attachment "B"

8. Existing Place of Use

Acres	Quarter	Quarter	Section	Twtnshp	Range
32.5	NE	NE	22	16N	19E
15.0	NW	NE	22	16N	19E
1.4	SW	NE	22	16N	19E
16.6	SW	NE	22	16N	19E
40.0	SE	NE	22	16N	19E
34.0	NE	SE	22	16N	19E
14.8	NW	SE	22	16N	19E
32.0	NE	NE	23	16N	19E
33.5	NW	NE	23	16N	19E
35.0	NE	NW	23	16N	19E
3.8	NW	NW	23	16N	19E
32.2	NW	NW	23	16N	19E
33.0	SW	NW	23	16N	19E
5.0	SE	NW	23	16N	19E
17.0	NE	SW	23	16N	19E
15.0	NW	SW	23	16N	19E
360.8		TOTAL ACREAGE			

Acreage being removed under this application

Acres	Quarter	Quarter	Section	Twtnshp	Range
15.83	NE	NE	22	16N	19E
14.65	NW	NE	22	16N	19E
0.23	SW	NE	22	16N	19E
9.15	SW	NE	22	16N	19E
12.54	SE	NE	22	16N	19E
19.01	NE	SE	22	16N	19E
2.01	NW	SE	22	16N	19E
	NE	NE	23	16N	19E
29.44	NW	NE	23	16N	19E
23.20	NE	NW	23	16N	19E
3.80	NW	NW	23	16N	19E
17.14	NW	NW	23	16N	19E
9.77	SW	NW	23	16N	19E
	SE	NW	23	16N	19E
1.47	NE	SW	23	16N	19E
7.78	NW	SW	23	16N	19E
166.02		TOTAL ACREAGE			

Attachment "B"

8. Existing Place of Use

Acres	Quarter	Quarter	Section	Twnshp	Range
32.5	NE	NE	22	16N	19E
15.0	NW	NE	22	16N	19E
1.4	SW	NE	22	16N	19E
16.6	SW	NE	22	16N	19E
40.0	SE	NE	22	16N	19E
34.0	NE	SE	22	16N	19E
14.8	NW	SE	22	16N	19E
32.0	NE	NE	23	16N	19E
33.5	NW	NE	23	16N	19E
35.0	NE	NW	23	16N	19E
3.8	NW	NW	23	16N	19E
32.2	NW	NW	23	16N	19E
33.0	SW	NW	23	16N	19E
5.0	SE	NW	23	16N	19E
17.0	NE	SW	23	16N	19E
15.0	NW	SW	23	16N	19E
360.8		TOTAL ACREAGE			

Acreage being removed under this application

Acres	Quarter	Quarter	Section	Twnshp	Range
15.83	NE	NE	22	16N	19E
14.65	NW	NE	22	16N	19E
0.23	SW	NE	22	16N	19E
9.15	SW	NE	22	16N	19E
12.54	SE	NE	22	16N	19E
19.01	NE	SE	22	16N	19E
2.01	NW	SE	22	16N	19E
	NE	NE	23	16N	19E
29.44	NW	NE	23	16N	19E
23.20	NE	NW	23	16N	19E
3.80	NW	NW	23	16N	19E
17.14	NW	NW	23	16N	19E
9.77	SW	NW	23	16N	19E
	SE	NW	23	16N	19E
1.47	NE	SW	23	16N	19E
7.78	NW	SW	23	16N	19E
166.02		TOTAL ACREAGE			